

§ 37.215

System 1200 New Jersey Avenue, SE., Washington, D.C. 20590.

[66 FR 9053, Feb. 6, 2001, as amended at 69 FR 40796, July 7, 2004; 73 FR 33329, June 12, 2008]

§ 37.215 Review of requirements.

(a) Beginning October 28, 2005, the Department will review the requirements of § 37.189 and their implementation. The Department will complete this review by October 30, 2006.

(1) As part of this review, the Department will consider factors including, but not necessarily limited to, the following:

(i) The percentage of accessible buses in the demand-responsive fleets of large and small demand-responsive operators.

(ii) The success of small and large demand-responsive operators' service at meeting the requests of passengers with disabilities for accessible buses in a timely manner.

(iii) The ridership of small and large operators' demand-responsive service by passengers with disabilities.

(iv) The volume of complaints by passengers with disabilities.

(v) Cost and service impacts of implementation of the requirements of § 37.189.

(2) The Department will make one of the following decisions on the basis of the review:

(i) Retain § 37.189 without change; or

(ii) Modify the requirements of § 37.189 for large and/or small demand-responsive operators.

(b) Beginning October 30, 2006, the Department will review the requirements of §§ 37.183, 37.185, 37.187, 37.191 and 37.193(a) and their implementation. The Department will complete this review by October 29, 2007.

(1) As part of this review, the Department will consider factors including, but not necessarily limited to, the following:

(i) The percentage of accessible buses in the fixed-route fleets of large and small fixed-route operators.

(ii) The success of small and large fixed-route operators' interim or equivalent service at meeting the requests of passengers with disabilities for accessible buses in a timely manner.

49 CFR Subtitle A (10–1–13 Edition)

(iii) The ridership of small and large operators' fixed-route service by passengers with disabilities.

(iv) The volume of complaints by passengers with disabilities.

(v) Cost and service impacts of implementation of the requirements of these sections.

(2) The Department will make one of the following decisions on the basis of the review:

(i) Retain §§ 37.183, 37.185, 37.187, 37.191, 37.193(a) without change; or

(ii) Modify the requirements of §§ 37.183, 37.185, 37.187, 37.191, 37.193(a) for large and/or small fixed-route operators.

APPENDIX A TO SUBPART H OF PART 37— SERVICE REQUEST FORM

Form for Advance Notice Requests and Provision of Equivalent Service

1. Operator's name _____
 2. Address _____
 3. Phone number: _____
 4. Passenger's name: _____
 5. Address: _____
 6. Phone number: _____
 7. Scheduled date(s) and time(s) of trip(s): _____
 8. Date and time of request: _____
 9. Location(s) of need for accessible bus or equivalent service, as applicable: _____
 10. Was accessible bus or equivalent service, as applicable, provided for trip(s)? Yes _____ no _____
 11. Was there a basis recognized by U.S. Department of transportation regulations for not providing an accessible bus or equivalent service, as applicable, for the trip(s)? Yes _____ no _____
- If yes, explain _____

[66 FR 9054, Feb. 6, 2001]

APPENDIX A TO PART 37—MODIFICATIONS TO STANDARDS FOR ACCESSIBLE TRANSPORTATION FACILITIES

The Department of Transportation, in § 37.9 of this part, adopts as its regulatory standards for accessible transportation facilities the revised Americans with Disabilities Act Guidelines (ADAGG) issued by the Access Board on July 23, 2004. The ADAGG is codified in the Code of Federal Regulations in Appendices B and D of 36 CFR part 1191. Note the ADAAG may also be found via a hyperlink on the Internet at the following address: <http://www.access-board.gov/ada-aba/final.htm>. Like all regulations, the ADAAG

also can be found by using the electronic Code of Federal Regulations at <http://www.gpoaccess.gov/ecfr>. Because the ADAAG has been established as a Federal consensus standard by the Access Board, the Department is not republishing the regulations in their entirety, but is adopting them by cross-reference as permitted under 1 CFR 21.21(c)(4). In a few instances, the Department has modified the language of the ADAAG as it applies to entities subject to 49 CFR part 37. These entities must comply with the modified language in this Appendix rather than the language of Appendices B and D to 36 CFR part 1191.

206.3 LOCATION—MODIFICATION TO 206.3 OF APPENDIX B TO 36 CFR PART 1191

Accessible routes shall coincide with, or be located in the same area as general *circulation paths*. Where *circulation paths* are interior, required *accessible* routes shall also be interior. Elements such as ramps, elevators, or other circulation devices, fare vending or other ticketing areas, and fare collection areas shall be placed to minimize the distance which wheelchair users and other persons who cannot negotiate steps may have to travel compared to the general public.

406.8—MODIFICATION TO 406 OF APPENDIX D TO 36 CFR PART 1191

A curb ramp shall have a detectable warning complying with 705. The detectable warning shall extend the full width of the curb ramp (exclusive of flared sides) and shall extend either the full depth of the curb ramp or 24 inches (610 mm) deep minimum measured from the back of the curb on the ramp surface.

810.2.2 DIMENSIONS—MODIFICATION TO 810.2.2 OF APPENDIX D TO 36 CFR PART 1191

Bus boarding and alighting areas shall provide a clear length of 96 inches (2440 mm), measured perpendicular to the curb or vehicle roadway edge, and a clear width of 60 inches (1525 mm), measured parallel to the vehicle roadway. Public entities shall ensure that the construction of bus boarding and alighting areas comply with 810.2.2, to the extent the construction specifications are within their control.

810.5.3 PLATFORM AND VEHICLE FLOOR COORDINATION—MODIFICATION TO 810.5.3 OF APPENDIX D TO 36 CFR PART 1191

Station platforms shall be positioned to coordinate with vehicles in accordance with the applicable requirements of 36 CFR part 1192. Low-level platforms shall be 8 inches (205 mm) minimum above top of rail. In light rail, commuter rail, and intercity rail systems where it is not operationally or structurally feasible to meet the horizontal gap or vertical difference requirements of part 1192

or 49 CFR part 38, mini-high platforms, car-borne or platform-mounted lifts, ramps or bridge plates or similarly manually deployed devices, meeting the requirements of 49 CFR part 38, shall suffice.

EXCEPTION: Where vehicles are boarded from sidewalks or street-level, low-level platforms shall be permitted to be less than 8 inches (205 mm).

[71 FR 63266, Oct. 30, 2006]

APPENDIX B TO PART 37—FTA REGIONAL OFFICES

Region I, Federal Transit Administration, 206 Federal Plaza, Suite 2940, New York, NY 10278

Region II, Federal Transit Administration, Transportation Systems Center, Kendall Square, 55 Broadway, Suite 921, Cambridge, MA 02142

Region III, Federal Transit Administration, 841 Chestnut Street, Suite 714, Philadelphia, PA 19107

Region IV, Federal Transit Administration, 1720 Peachtree Road NW., Suite 400, Atlanta, GA 30309

Region V, Federal Transit Administration, 55 East Monroe Street, Room 1415, Chicago, IL 60603

Region VI, Federal Transit Administration, 819 Taylor Street, Suite 9A32, Ft. Worth, TX 76102

Region VII, Federal Transit Administration, 6301 Rockville Road, Suite 303, Kansas City, MS 64131

Region VIII, Federal Transit Administration, Federal Office Building, 1961 Stout Street, 5th Floor, Denver, CO 80294

Region IX, Federal Transit Administration, 211 Main Street, Room 1160, San Francisco, CA 94105

Region X, Federal Transit Administration, 3142 Federal Building, 915 Second Avenue, Seattle, WA 98174

APPENDIX C TO PART 37—CERTIFICATIONS

Certification of Equivalent Service

The (name of agency) certifies that its demand responsive service offered to individuals with disabilities, including individuals who use wheelchairs, is equivalent to the level and quality of service offered to individuals without disabilities. Such service, when viewed in its entirety, is provided in the most integrated setting feasible and is equivalent with respect to:

- (1) Response time;
- (2) Fares;
- (3) Geographic service area;
- (4) Hours and days of service;
- (5) Restrictions on trip purpose;
- (6) Availability of information and reservation capability; and